

175

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

United States District Court  
Southern District of Texas  
FILED

OCT 16 1998

Michael W. Lindy  
Clerk of Court

EDWARD ALCALA, et.al.,  
Plaintiffs,

v.

ALEX PEREZ, in his official capacity  
as Sheriff of Cameron County, Texas,  
and CAMERON COUNTY, TEXAS,  
Defendant.

CIVIL ACTION NUMBER B-96-203

JURY DEMAND

MOTION FOR REHEARING  
ON DEFENDANT'S  
MOTION FOR SANCTIONS

Defendant would show the Court:

1. All Plaintiffs did not oppose Defendant's Motion for Sanctions. Most of the sixty nine, named Plaintiff's on the list attached to Defendant's Motion filed on September 15, 1998, filed no opposition.
2. The only Plaintiffs that opposed Defendant's Motion were those who answered the discovery, but answered out of time. They are listed by Plaintiff in the prayer of the opposition to motion for sanctions. They are: Juan Jose Canul, Jr., Ignacio Casonava, Jorge Castorena, Nora Hilda Esparza Villarreal, Jose Alejandro Garcia, Santos Gomez, Jose Alejandro Longoria, Jr., Ricardo David Perez, and Raul E. Rodreguez.
3. The Plaintiffs that have not answered Defendant's January, 1997, discover requests, which they were compelled to answer by Court Order, did not oppose or file a response to Defendants Motion for Sanctions. They are the Plaintiffs named on the attached list (with the Plaintiffs named in paragraph two deleted).



4. At some point there should be an end to the lack of response by these Plaintiffs.

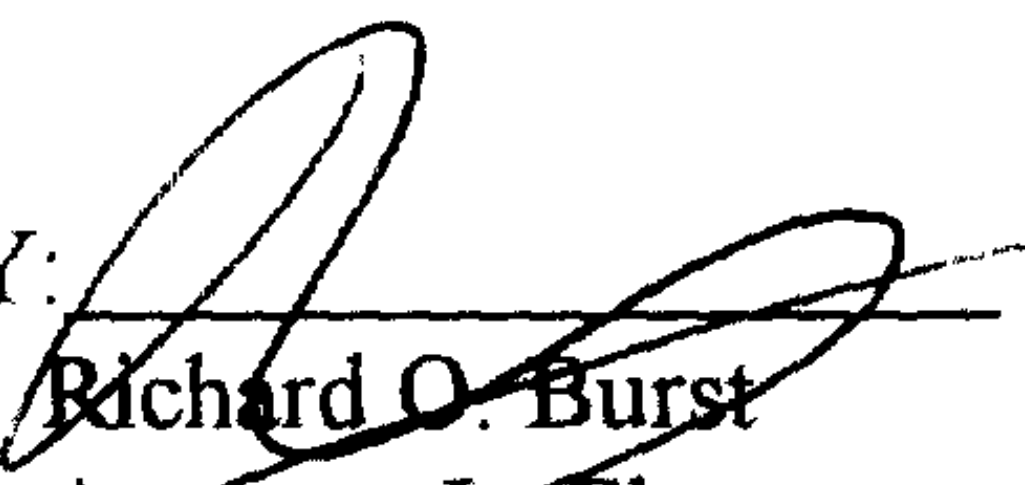
Defendants respectfully request the Court to reconsider its Motion for Sanctions.

WHEREFORE Defendant prays the Court reconsider its Motion for Sanctions and dismiss the Plaintiffs who have not responded to Defendant's discovery and who have ignored the Court's Order compelling responses.

Respectfully,

For Cameron County  
Cameron County Civil Legal Department  
964 East Harrison Street  
Brownsville, Texas 78578  
(956) 550 1345  
(956) 550 1348 (Facsimile)

BY:

  
Richard O. Burst  
Attorney In Charge  
Texas State Bar #00785586  
S.D. No. 15515

Dylbia L. Jefferies  
Of Counsel  
Texas State Bar #00786516  
S.D. No. 17065

CERTIFICATE OF SERVICE

I, Richard O. Burst do hereby certify that on this 16 day of October, 1998, a true and correct copy of the foregoing Motion has been mailed, certified, return receipt requested to:

George P. Powell  
HINOJOSA & POWELL, P.C.  
612 Nolana, Suite 410  
McAllen, Texas 78504

  
Richard O. Burst